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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/486,790 06/26/00 PAQUET

L 3401-4022

MMC1/0801

EXAMINER

MORGAN & FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154

NGUYEN, T

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 08/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)
	09/486,790	PAQUET, LAURENT
	Examiner	Art Unit
	Tran N Nguyen	2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 July 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) 18-20 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-2, 4-9, 13-17 is/are rejected.
- 7) Claim(s) 3 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 June 2000 is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____ .
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5 . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5, “insulating element is interposed between the case and the winding radially relative to an axis of the stator” is indefinite because it is unclear that the insulating element, the case or the winding that is radially relative to an axis of the stator”.

The above recitation is understood as “insulating element is interposed between the case and the winding and said insulating element is radially relative to an axis of the stator.”

In claims 6 and 13-14, “insulating element is interposed between the case and the winding axially relative to an axis of the stator” is indefinite by the same reason, as in claim 5.

The above recitation is understood as “insulating element is interposed between the case and the winding and said insulating element is axially relative to an axis of the stator.”

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In claims 8 and 17, “indexing portion enabling the angular position of the stator around an axis of the stator to be identified” is indefinite because of the following:

- (a) it is unclear what is the structural relationship between the indexing portion that enables locating the angular position of the stator around an axis;
- (b) “the angular position” lacks antecedent basis.

The above recitation is understood as , “indexing portion, said first indexing portion enables to locate an angular position of the stator around an axis, wherein said angular position being related to said insulating element.”

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-2, 4-9 and 13-17**, as understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindstrom (US 3002119) in view of Andrus (US 2583804).

Lindstrom discloses (figs 1-4, 11, 12) a stator structure comprising an insulator shield (36, 136) interposed between the windings (35) and the case (12, 112). The insulator element is interposed between the case and the winding and extended in register with an inner side face of the winding, wherein the insulator element has index portions (142) engaging with indexing portions (143) of the case for positioning the angular position of the stator relative to the

insulator element. Lindstrom substantially discloses the claimed invention, except for the limitation of a duct extending through an orifice in the case.

Andrus, however, teaches an insulator element (3) having duct (18) that extends through the casing for connecting to lead-wire terminal (figs 1-3).

Thus, it would have been obvious to one skilled in the art at the time the invention was made to modify Lindstrom's insulator element by providing extended ducts through an orifice in the case, as taught by Andrus. Doing so would enhance the connection of the windings' lead-wires and the supplied power terminal.

Allowable Subject Matter

5. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran N Nguyen whose telephone number is (703) 308-1639. The examiner can normally be reached on M-F 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703)-308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-3431 for regular communications and (703)-305-3432 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1782.



TRAN NGUYEN

PRIMARY PATENT EXAMINER

TC-2800

July 26, 2001